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Report of the Working Group on the Universal Periodic Review*

Tajikistan

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Having considered the recommendations made by the States members of the United Nations Human Rights Council during the review of Tajikistan's national report under the Universal Periodic Review (second cycle), Tajikistan should like to note the following:

Recommendation number	*Position of Tajikistan*
118.1	Tajikistan does not accept this recommendation. This issue will be considered after Tajikistan's accession to the Convention on the Rights of Persons with Disabilities (CRPD).
118.2	Answered in 118.1.
118.3	Tajikistan does not accept this recommendation and will consider ratifying this document if it is desirable and possible to do so.
118.4	Answered in 118.3.
118.5	Given the financial repercussions and the need for amendments to both legislation and existing practice, Tajikistan does not accept this recommendation.
118.6	Tajikistan does not accept this recommendation and will consider ratifying this document if it is desirable and possible to do so. This issue requires further consideration, and a working group has been established to this end.
118.7	Tajikistan is party to nearly all core human rights treaties and intends to broaden its international obligations in the future. However, this is a gradual process and one that must take into account the real capabilities of the country. At present, Tajikistan considers it feasible to accede to CRPD and welcomes the technical support offered in fulfilling this recommendation. Tajikistan is not ready at this stage to accede to the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).
118.8	Tajikistan accepts this recommendation only with regard to CRPD and the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2). The question of acceding to other human rights documents requires further consideration.
118.9	Answered in 118.8.
118.10	Tajikistan accepts this recommendation and notes that domestic legislation on the protection of religious freedom has been drafted in accordance with international standards on the protection of human rights. Tajikistan is accustomed to discussing draft laws with United Nations bodies and the Organization for Security and Cooperation in Europe (OSCE), and welcomes cooperation with any interested parties in discussing and resolving this issue.

Recommendation number	*Position of Tajikistan*
118.11	Tajikistan accepts this recommendation and notes that it is undertaking measures to involve civil society more broadly in the process of promoting and protecting human rights. Henceforth, Tajikistan will take all measures to fulfil this recommendation and will consider the question of adopting a strategic human rights document.
118.12	Answered in 118.11.
118.13	Answered in 118.11.
118.14	Answered in 118.11.
118.15	Tajikistan extends invitations to Special Procedures in the prescribed manner. The authorities are not opposed to country visits by mandate holders. At present, Tajikistan enjoys fairly close cooperation with United Nations Special Procedures. This recommendation is not accepted at the present time.
118.16	Answered in 118.15.
118.17	Answered in 118.15.
118.18	Answered in 118.15.
118.19	Answered in 118.15.
118.20	Answered in 118.15.
118.21	Tajikistan does not accept this recommendation as it believes that its domestic legislation contains the relevant provisions.
118.22	Tajikistan accepts this recommendation and will work actively in this regard.
118.23	Tajikistan accepts this recommendation and will work actively in this regard.
118.24	Tajikistan accepts this recommendation. Domestic legislation prohibits discrimination based on religion. Tajikistan will henceforth work actively in this regard.
118.25	Tajikistan accepts this recommendation and will work actively in this regard.
118.26	Tajikistan does not accept this recommendation as it is not party to the Optional Protocol to the Convention against Torture (OP-CAT) and is not yet ready to ratify it. However, the country is taking all necessary measures to effectively combat torture and cruel treatment, particularly in places of detention. In order to ensure a functioning system of preventive visits, a permanent monitoring group has been established within the Office of the Ombudsman for Human Rights, comprising representatives of government bodies and non-governmental human rights organizations.

Recommendation number	*Position of Tajikistan*
118.27	Tajikistan accepts this recommendation and believes that it is being fulfilled. Tajikistan will henceforth work actively in this regard.
118.28	Tajikistan accepts this recommendation and is considering incorporating domestic violence into the Criminal Code as a specific crime.
118.29	Answered in 118.28.
118.30	Answered in 118.28.
118.31	Answered in 118.28.
118.32	Answered in 118.28.
118.33	Tajikistan accepts this recommendation and will henceforth continue its efforts in this regard.
118.34	Answered in 118.33.
118.35	Tajikistan accepts this recommendation and believes that its domestic legislation corresponds to international standards on the administration of justice. The trial of members of the Islamic Renaissance Party of Tajikistan (IRPT) was carried out in accordance with domestic legislation.
118.36	Answered in 118.35.
118.37	Tajikistan accepts this recommendation with regard to affording fundamental legal and procedural safeguards for detainees from the outset of their deprivation of liberty. Specific amendments and additions to domestic legislation have already been introduced in this regard. On the question of establishing an independent National Preventive Mechanism in accordance with the requirements of OP-CAT, please refer to recommendation 118.26.
118.38	Tajikistan accepts this recommendation and believes that its domestic legislation ensures and guarantees freedom of legal practice. Neither legislation nor practice contains any impediment that might restrict or prevent lawyers from meeting with their clients or might in any other way restrict lawyers' freedom to exercise their professional duties.
118.39	Tajikistan accepts this recommendation and believes that it has already been fulfilled. New legislation on legal practice provides for the principle of non-interference in lawyers' activities, and no government body has any administrative functions with regard to the legal community.
118.40	Tajikistan does not accept this recommendation on account of the imprecision of its content. Tajikistan has created the necessary conditions to ensure the independence of the legal profession.

Recommendation number	*Position of Tajikistan*
118.41	Tajikistan does not accept this recommendation and proposes that an International Committee of the Red Cross (ICRC) mission visits these establishments in order to conduct an independent inspection in accordance with Tajik legislation.
118.42	Tajikistan accepts this recommendation as it believes that it is already being fulfilled. The country continues to remain committed to fulfilling its obligations pertaining to freedom of expression, association, assembly and belief in accordance with international human rights standards.
118.43	Answered in 118.42.
118.44	Answered in 118.42.
118.45	Tajikistan accepts this recommendation as it believes that it is already being fulfilled. Freedom of religion is guaranteed to every person in Tajikistan and there are no restrictions on peaceful religious activity, either for individuals or for groups. Specific locations are designated where people can perform religious rites. Certain requirements exist with regard to receiving a religious education and disseminating religious literature. These measures are necessary to protect the rights of children and to prevent the incitement of religious hatred, and they have been developed in accordance with international human rights standards.
118.46	Answered in 118.45.
118.47	Answered in 118.45. With regard to the possibility of exercising the right to object to compulsory military service on the grounds of religion, Tajikistan does not accept this recommendation because it contravenes the Constitution.
118.48	Tajikistan does not accept this recommendation because it believes that the limitations provided for by domestic legislation are in accordance with international human rights standards.
118.49	Answered in 118.48.
118.50	Tajikistan accepts this recommendation and notes that access to Internet sites and social networks is freely available. The procedure for restricting the right of access is regulated by domestic legislation.
118.51	Tajikistan does not accept this recommendation. It has created the necessary conditions for development of an environment that ensures freedom of expression for journalists and the media, and it will henceforth continue its work in this regard.
118.52	Answered in 118.50.

Recommendation number	*Position of Tajikistan*
118.53	Tajikistan accepts this recommendation and believes that it is being fulfilled. The safety of all persons, including journalists, is guaranteed in Tajikistan.
118.54	Answered in 118.51.
118.55	Answered in 118.51.
118.56	Tajikistan does not accept this recommendation because the grounds and procedure for blocking Internet sites, as provided for by domestic legislation, are necessary and do not contravene international human rights documents.
118.57	Answered in 118.51.
118.58	Answered in 118.51.
118.59	Tajikistan accepts this recommendation. The relevant amendments and additions have already been incorporated into domestic legislation.
118.60	Tajikistan accepts this recommendation as defamation is decriminalized.
118.61	Tajikistan does not accept this recommendation as it believes that its legislation complies with international human rights standards, including the International Covenant on Civil and Political Rights (ICCPR).
118.62	Answered in 118.61.
118.63	Answered in 118.61.
118.64	Answered in 118.61.
118.65	Tajikistan accepts this recommendation and will henceforth work actively in this regard.
118.66	Answered in 118.61.
118.67	Tajikistan accepts this recommendation although it notes that the persons referred to in the recommendation are not being persecuted on political grounds. Every individual in Tajikistan is guaranteed judicial protection and the right to demand the review of his or her case by a competent, independent and impartial tribunal. No one may be subjected to detention or arrest without legitimate grounds.
118.68	Answered in 118.61.
118.69	Tajikistan does not accept this recommendation in connection with the fact that the persons referred to in the recommendation have not been convicted on political grounds.
118.70	Tajikistan accepts this recommendation and will henceforth create an environment for the free operation of peaceful political movements.